AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A process for treating tomato concentrates obtainable by concentration by evaporation, having a dry residue in percentage by weight higher than 15%, preferably higher of 18%, comprising the following steps:

I) mixing of the tomato concentrate (component a)) with water (component b));

II) liquid separation by a separation solid-liquid apparatus, wherein the mass to be filtered is maintained under a slow stirring; and optionally

III) addition of water and/or serum and/or tomato juice and/or passata to the solid mass obtained in II).

- 2. (Currently Amended) A process, according to claim 1, wherein in step II) an apparatus equipped with a mechanical stirrer preferably centrally placed, is used, having angular speed from 1 rpm to 20 rpm, preferably from 2 rpm to 10 rpm, the stirrer blades being of a shape such that the suspension is conveyed to the central axis of the device.
- 3. (Currently Amended) A process according to claim 1, wherein the separation solid-liquid apparatus rotates around the longitudinal axis with the rotation speed from 1 rpm to 20 rpm, preferably from 2 rpm to 10 rpm.
- 4. (Currently Amended) A process according to claim 1, wherein an apparatus is used constituted by a sieve maintained under an oscillatory motion, preferably a nutational motion, the oscillations-/minute generally being from 1 to 20 oscillations/minute, preferably from 2 to 10 oscillations/minute.

Reply to Office Action of April 14, 2009

5. (Original) A process according to claim 1, wherein in step I) as component b) in

alternative and/or in association with water a tomato juice or a passata can be used.

6. (Currently Amended) A process according to claim 1, wherein, when in step I)

concentrates having a dry content from 15% to 20% by weight are used, the weight amount of

component b) is from about 1/6 to 4 times, preferably from 1/4 to 2 time, still more preferably

from 1/4 to 1 time with respect to the weight of component a).

7. (Currently Amended) A process according to claim 1, wherein when in step I)

concentrates having a dry content from 20% to 40% by weight are used, the weight amount of

component b) ranges from 1/2 to 4 times, preferably from 1/2 to 2 times, more preferably from

 $\frac{1}{2}$ to 1 time with respect to the weight of component a).

8. (Original) A process according to claim 1, wherein one preferably operates under sterile

conditions, or alternatively the product recovered at the end of step III) is sterilized.

9. (Currently Amended) A process according to claim 1, wherein the solid-liquid

separation of step II) is carried out at temperatures generally lower than 40°C, preferably lower

than 20°C, by operating under atmospheric pressure or under slightly higher pressures, from 760

mm Hg (0.101 MPa) up to 900 mm Hg (0.12 MPa), or by applying pressures slightly lower than

the atmospheric pressure, down to 450 mm Hg (0.06 MPa).

10. (Original) A process according to claim 1 wherein steps I) and II) are repeated several

times using every time a fresh aliquot of component b).

3

RCS/njp

Docket No.: 5059-0103PUS1

- Docket No.: 5059-0103PUS1
- 11. (Original) A process according to claim 1, wherein in step II) a solid liquid separator is used having walls with openings or holes formed for instance with woven wire cloth or with wire screens or welding screens; alternatively the walls have holes such as punched holes or drilled holes or slot milled holes or beam perforated holes.
- 12. (Currently Amended) A process according to claim 11, wherein the width of the openings or slots, or the diameter in the case of holes, is not greater than 0.1 mm and preferably is not lower than 0.02 mm and the slots length ranges from 30 cm to 2 meters.
- 13. (Original) A process according to claim 1, wherein the apparatus used in step II) is a cylinder, preferably in an horizontal position, which has inside a stirrer in the form of an Archimedean screw, or the apparatus is rotating around the longitudinal axis and has the shape of an helix wound about its own axis, the angular speed being from 2 to 10 rpm.
- 14. (Original) A process according to claim 13, wherein the cylinder has a diameter ranging from 30 cm to 1 meter and length from 2 meters to 20 meters.
- 15. (Original) A process according to claim 1, wherein the separator is of metal or of plastic material.
 - 16. (Withdrawn) Tomato products obtainable according to claim 1.
- 17. (Withdrawn) Tomato products according to claim 16, wherein the obtainable tomato products are the following (% by weight): TABLE-US-00012 dry residue 5.5-20%, water 94.5-80%, 100% being the sum of the two components, wherein the amount of water insoluble solids and water soluble solids in the dry residue ranges in percentage by weight as it follows:

Application No. 10/588,374 Amendment dated October 9, 2009

Reply to Office Action of April 14, 2009

TABLE-US-00013 water insoluble solids \geq 15%, pref. from 18% to 70%, water soluble solids \leq

Docket No.: 5059-0103PUS1

85%, pref. from 82% to 30%.

18. (Withdrawn) Tomato products according to claim 16, wherein the amount of water

insoluble and soluble solids in the dry residue ranges in percentage by weight as follows:

TABLE-US-00014 water insoluble solids: from 18% to 25%, preferably 18%-20% water soluble

solids: from 82% to 75%, preferably 82%-80%.

19. (Withdrawn) Tomato products according to claim 16, wherein the dry residue ranges

from >12% by weight up to 70% by weight, preferably from about 18% to about 60% by weight.

more preferably from 18% to 36% by weight.

20. (Withdrawn) Tomato products according to claim 19, wherein the concentrated

products are mixed with fresh, tomato juice obtaining passatas and semiconcentrates, the dry

residue being (% by weight): in passatas lower than or equal to about 10% by weight, preferably

5%-7% by weight; in semiconcentrates about 12%.

21. (Withdrawn) Tomato compositions wherein the tomato products according to claim 16

are mixed with fat containing foodstuffs.

22. (Withdrawn) Tomato compositions according to claim 21, wherein the foodstuffs are

animal or vegetable fats, solid at room temperature, preferably butter or margarine, mayonnaise,

and/or fats liquid at room temperature preferably vegetable oils, preferably olive oil, and/or

cheese having soft-, or fresh-grain or hard-grain and grated, spreadable ham, spreadable salami.

5 RCS/njp

23. (Withdrawn) Tomato compositions according to claim 22, wherein, in the dry

residue, the water insoluble solids range (percentage by weight) from 18% to 25% and the water

soluble solids from 82% to 75%.

24. (Withdrawn) Tomato compositions according to claim 22, wherein the amount of the

oil in the composition ranges from 10% to 25% by weight referred to the weight of the starting

tomato product; solid fats and soft-grain cheese amount ranges from 30% to 300% by weight,

referred to the weight of the starting tomato product; the amount of hard-grain and grated

cheeses ranges from 10 to 25%, the mayonnaise amount ranges from 90% to 20% by weight

referred to the weight of the starting tomato product.

25. (Withdrawn) Tomato foods obtainable from the compositions of claim 21.

26. (Withdrawn) Use as condiment of foods of the tomato products or tomato

compositions according to claim 16.

27. (Withdrawn) Use according to claim 26, wherein as foods to be sauced, pasta, meat,

fish, vegetables are used.

28. (Withdrawn) Tomato compositions wherein the tomato products according to claim

16 and the compositions are additioned of pectins and/or polysaccharides.

29. (Withdrawn) Tomato compositions according to claim 28, wherein the amount of

pectins and/or polysaccharides ranges from 10% to 20% by weight.

Docket No.: 5059-0103PUS1

Application No. 10/588,374 Docket No.: 5059-0103PUS1

Amendment dated October 9, 2009

Reply to Office Action of April 14, 2009

30. (New) A process according to claim 1 for treating tomato concentrates obtainable by

concentration by evaporation, having a dry residue in percentage by weight higher than 18%,

comprising the following steps:

I) mixing of the tomato concentrate (component a)) with water (component b));

II) liquid separation by a separation solid-liquid apparatus, wherein the mass to be filtered

is maintained under a slow stirring; and optionally;

III) addition of water and/or serum and/or tomato juice and/or passata to the solid mass

obtained in II).

31. (New) A process, according to claim 1, wherein in step II) an apparatus equipped

with a mechanical stirrer preferably centrally placed, is used, having an angular speed from 2

rpm to 10 rpm, the stirrer blades being of a shape such that the suspension is conveyed to the

central axis of the device.

32. (New) A process according to claim 1, wherein the separation solid-liquid apparatus

rotates around the longitudinal axis with the rotation speed from 2 rpm to 10 rpm.

33. (New) A process according to claim 1, wherein, when in step I) concentrates having a

dry content from 15% to 20% by weight are used, the weight amount of component b) is from

about 1/4 to 2 times, with respect to the weight of component a).

34. (New) A process according to claim 1, wherein when in step I) concentrates having a

dry content from 20% to 40% by weight are used, the weight amount of component b) ranges

from 1/2 to 2 times, with respect to the weight of component a).

7

RCS/njp

Application No. 10/588,374 Amendment dated October 9, 2009 Reply to Office Action of April 14, 2009 Docket No.: 5059-0103PUS1

35. (New) A process according to claim 1, wherein the solid-liquid separation of step II) is carried out at temperatures lower than 20°C, by operating under atmospheric pressure or under slightly higher pressures, from 760 mm Hg (0.101 MPa) up to 900 mm Hg (0.12 MPa), or by applying pressures slightly lower than the atmospheric pressure, down to 450 mm Hg (0.06 MPa).

36. (New) A process according to claim 11, wherein the width of the openings or slots, or the diameter in the case of holes, is not lower than 0.02 mm and the slots length ranges from 30 cm to 2 meters.

8